

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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THE ANNUITY, PENSION, WELFARE and APPRENTICESHIP  
SKILL IMPROVEMENT AND SAFETY FUNDS of the  
INTERNATIONAL UNION OF OPERATING ENGINEERS,  
LOCAL 137, 137A, 137B, 137C & 137R, AFL-CIO, by its  
TRUSTEES EDWARD KELLY, JEFFREY LOUGHLIN,  
PETER PATERNO, ROSS PEPE, NICHOLAS SIGNORELLI  
and NICHOLAS SIGNORELLI, JR., and JOHN and JANE DOE, **DEFAULT JUDGMENT**  
as Beneficiaries of the ANNUITY, PENSION, WELFARE and  
APPRENTICESHIP SKILL IMPROVEMENT AND SAFETY FUNDS of the INTERNATIONAL UNION OF OPERATING  
ENGINEERS, LOCAL 137, 137A, 137B, 137C & 137R, AFL-CIO, 08-CIV-5350 (CLB)

Plaintiffs,

-against-

ACK MANAGEMENT CORP.,

Defendant.

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This action having been commenced on June 11, 2008 by the filing of the Summons and  
Complaint, and a copy of the Summons and Complaint having been personally served on the  
Defendant ACK MANAGEMENT CORP. on April 26, 2008, by a Process Server, personal  
service upon Ben Acocella, the Managing Agent for the Defendant, and a proof of service having  
been filed on June 24, 2008 via the ECF System, and the Defendant not having answered the  
Complaint, and the time for answering the Complaint having expired, it is,

**ORDERED, ADJUDGED AND DECREED:** That the Plaintiffs have judgment against  
the Defendant in the principal amount of \$37,011.60, liquidated damages in the amount of  
\$7,402.32, with interest at 10% as prescribed by the applicable Collective Bargaining Agreement

~~from April 1, 2008 through July 11, 2008, in the amount of \$1,034.73, together with the costs~~

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and disbursements of this action in the amount of \$460.00 and attorneys' fees in the amount of \$1,311.00, for a total liquidated amount of \$47,219.65, and it is further

**ORDERED** that the Judgment rendered by the Court on this day in favor of the Plaintiffs be entered as a final judgment against Defendant ACK MANAGEMENT CORP. and the Clerk of the Court is directed to enter such Judgment forthwith.

Dated: White Plains, New York

July 4, 2008

August

SO ORDERED:

Cathy Sebel

~~The Honorable Charles L. Brieant~~  
United States District Judge